

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHELSEA L. DAVIS

v.

**LESLIE D. WARE, MCKOOL SMITH P.C.,
MCKOOL SMITH HENNIGAN P.C., THE
WARE FIRM LLC, PANOPTIS IP LLC,
WILLIAM A. ACKMAN, J. KYLE BASS,
CHAD BUSHAW, CLINT D. CARLSON,
WILLIAM C. CARMODY, JAMES S. CHANOS,
LEON G. COOPERMAN, CARLOS R.
CORTEZ, HARLAN R. CROW, STEPHEN
JONES, JON STEVENS, and R. BRIAN TEAL**

**CASE NO. 3:13-CV-4926
CONSOLIDATED WITH CASE NOS.
3:13-CV-4973, 3:14-CV-0056,
3:14-CV-3962, 3:14-CV-3963
(for making Original Proceedings,
Federal Question)**

PUBLIC NOTICE OF PRELIMINARY INJUNCTION

This Notice of Preliminary Injunction provides notice that it appears no proceeding has yet been instituted under this Case Number, but Chelsea Davis intends to proceed on all claims stated in her Original Complaint.

Chelsea L. Davis, who is to become Plaintiff in *Chelsea L. Davis v. Leslie D. Ware et al*, has not yet been able to proceed in any lawsuit because of what appears to be a sealed motion for anti-suit injunction against Chelsea L. Davis, the Attorney Issued TX Bar No. 24059652, obtained by Samuel F. Baxter, the attorney issued TX Bar No. 01938000, prohibiting Chelsea Davis from instituting any proceedings in any court. *See* unrelated motion in sealed Case No.

14-7088 in the United States District Court for the Eastern District of Texas, which may be accessed only by that court through *Chelsea L. Davis v. Samuel F. Baxter*, 4:13-cv-514-RC, which appears to be an original proceeding or placeholder for an original proceeding in the United States District Court for the Eastern District of Texas. If the injunction was effective previously, then Chelsea Davis has not yet and could not have instituted any civil lawsuit or administrative proceeding regarding facts since 2010. The United States Supreme Court may be the only Court that can help.

Leslie Ware appears to have obtained an injunction against Chelsea Davis under the corollary to the prohibition of predecessor to 28 USCS § 2283 (i.e. the anti- anti-suit injunction rule allowing for anti-suit injunctions) against injunction to stay state court “proceedings,” which includes all steps taken or which may be taken in state court or by its officers from institution of suit to close of final process. The date on which injunctive relief is sought in federal court, rather than the date on which injunctive relief is granted, determines whether state actions are “pending” within the meaning of the Anti-Injunction Act. *National City Lines, Inc. v LLC Corp* 687 F2d 1122 (1982, CA8 Mo).

The injunction applies to appellate as well as to original proceedings, applies to action by court and by its ministerial officers, applies not only to execution issued on judgment but to any proceeding supplemental or ancillary taken with view to making suit or judgment effective and whether such supplemental or ancillary proceeding is taken in court which rendered judgment or in some other forum, and governs privy to state court proceeding as well as parties of record. *Hill v Martin* (1935) 296 US 393; *Resolute Ins. Co. v North Carolina* (1967, ED NC) 276 F.

Supp. 660, aff'd. (1968, CA4 NC) 397 F2d 586, cert den (1968) 393 US 978, 21 L Ed 2d 439, 89 S Ct 446; *Drexler v Walters* 290 F. Supp. 150 (1968, DC Minn).

The date on which injunctive relief is sought in federal court rather than the date on which injunctive relief is granted determines whether state actions are "pending" within meaning of Anti-Injunction Act. *National City Lines, Inc. v LLC Corp.* (1982, CA8 Mo) 687 F2d 1122, CCH Fed Secur L Rep P 98778.

Accordingly, all statutes of limitations are being tolled on all claims by Chelsea Davis since the first filing, likely on Sept. 8, 2010, perhaps on Aug. 30, 2011 and/or perhaps on Dec. 15, 2011, and no proceeding since then has instituted. BECAUSE THIS INJUNCTION APPLIES TO ALL COURT OFFICERS, THIS CASE NUMBER OPENED BY CHELSEA L. DAVIS PRO-SE MUST REMAIN OPEN. Also, it appears that public notice may be posted and likely must be posted.

Chelsea Davis will seek relief from preliminary injunction however she can. At this time, she may provide notice of her intent to apply for a writ or other relief from appellate courts, and such notices are not part of this proceeding because it appears there has not been any proceeding. There may not be any order or judgment from which to appeal at this time. Since there is no record, there is no need to provide a Federal Express courier account number.

Finally, I hereby certify under my Certificate of Attorney and verify under oath subject to penalty of perjury that I am of sound mind, over 18 years of age, and capable of making this affidavit: "Given my current financial circumstances, I cannot afford to arbitrate my claims because I could not afford to undertake this litigation and pursue my rights if I had the risk of paying McKool Smith P.C.'s costs which may be in excess of \$75,000 if I lost at arbitration."

Accordingly, I may consent to becoming a party plaintiff in a suit under the Fair Labor Standards Act against McKool Smith P.C. if and only if I may institute suit pro-se and the suit is not part of or related to Case No. 3:06-cv-01440-B or some other case number, sealed or not, opened in the United States District Court for the Northern District of Texas, which looks to me like fraud, either on the court or on prospective "Associates" whom lawyers and/or judges intend to abuse.

Dated: Nov. 11, 2014

Respectfully submitted,

/s/Chelsea L. Davis

Chelsea L. Davis, *pro-se*

TX BAR NO. 24059652

MAILING ADDRESS:

25 Highland Park Vlg., Ste. 100-830

Dallas, TX 75205

Texas Bar No. 24059652

HOME ADDRESS:

2068 Meadow View Dr.

Princeton, TX 75407

Telephone: (469) 426-5850

Facsimile: (469) 533-0466

cdavis@chelseadavispc.com

Don Colleluori

TX BAR NO. 04581950

A. Erin Dwyer

TX BAR NO. 06302700

3400 Bank of America Plaza

901 Main St Ste 3400

Dallas, TX 75202

Phone: 214-939-2007

FAX: 214-939-2090

don.colleluori@figdav.com

erin.dwyer@figdav.com

ATTORNEYS FOR GECESC ASSOCIATES LLC

CERTIFICATE OF SERVICE

On Nov. 11, 2014, I electronically submitted the foregoing document using the electronic case filing system. I hereby certify that I have served all counsel and/or pro se parties of record (or non-record) electronically by email or, as a pro-se party, on the date it is electronically

docketed in the court's CM/ECF system, as authorized by the Federal Rule of Civil Procedure 5(b)(2) and the Local Rules of this Court, or otherwise, to the extent possible.

Dated: Nov. 11, 2014

/s/Chelsea L. Davis
Chelsea L. Davis, *pro-se*
TX Bar No. 24059652
2068 Meadow View Dr.
Princeton, TX 75407
Telephone: (469) 426-5850
Facsimile: (469) 533-0466
cdavis@chelseadavispc.com

ADDITIONAL COUNSEL 1.

Lidji Dorey & Hooper

Brian M. Lidji
TX Bar No. 12329700
500 N. Akard, Suite 3500
Dallas, TX 75201
Direct 214-774-1220
Fax 214.774.1212
blidji@ldhlaw.com

ADDITIONAL COUNSEL 2.

Goranson Bain PLLC

ANGELINE L. ("ANGIE") BAIN and Associates
8350 N. Central Expressway, Suite 1700
Dallas, TX 75206
PHONE: 214.373.7676
Fax: 214.373.9959
TX BAR NO. 01546650

ADDITIONAL COUNSEL 3.
& McGraw)

Gray Reed & McGraw P.C. (*and* Looper Reed

KEN STONE
TX BAR NO. 19296300
JAMIE RIBMAN
1601 Elm Street, Suite 4600
Dallas, TX 75201
T: 214.954.4135
F: 469.320.6878
kstone@grayreed.com
jribman@grayreed.com

ADDITIONAL COUNSEL 4.

Jeff Hall

Jeff Hall
2200 Ross Avenue Suite 5350
Dallas, TX 75201

214-658-6513

jthallesq@gmail.com

TX BAR NO. 00787622

ADDITIONAL COUNSEL 5.

FOX ROTHSCHILD LLP

DARRELL MINTER

Two Lincoln Centre

5420 LBJ Freeway, Suite 1200

Dallas, TX 75240-6215

Tel 214-231-5711 Fax 972.404.0516

DMinter@foxrothschild.com

ADDITIONAL COUNSEL 6.

MILLER BROWN LLP

J. Robert Miller Jr.

TX Bar No. 14092500

rmiller@miller-brown.com

CHRISTY E. MADDEN

State Bar No. 90001629

cmadden@miller-brown.com

400 South Ervay Street

Dallas, Texas 75201-5513

(214) 748-7600

FAX: (214) 204-9134

ADDITIONAL COUNSEL 7.

Friedman & Feiger LLP

Lawrence J. Friedman

State Bar No. 07469300

Carlos Morales

State Bar No. 24025545

5301 Spring Valley, Suite 200

Dallas, Texas 75254

Telephone (972) 788-1400

FAX (972) 788-2667

lfriedman@fflawoffice.com

ADDITIONAL COUNSEL 8.

Gibson Dunn LLP

Veronica S. Lewis, SBN 24000092

vlewis@gibsondunn.com

William B. Dawson, SBN 05606300

wdawson@gibsondunn.com

Benjamin D. Williams, SBN 24072517

bwilliams@gibsondunn.com

Gibson Dunn LLP

2100 McKinney Avenue

Suite 1100

Dallas, TX 75201-6912

Tel: +1 214.698.3100

Fax: +1 214.571.2900

ADDITIONAL COUNSEL 9.

Abernathy, Roeder, Boyd & Joplin, P.C.

Ross Wells
1700 Redbud Boulevard, Suite 300
McKinney, TX 75069
Phone: (214) 544-4000
Fax: (214) 544-4040
rwells@abernathy-law.com

ADDITIONAL COUNSEL 10. Figari & Davenport LLC

Don Colleluori
TX BAR NO. 04581950
A. Erin Dwyer
TX BAR NO. 06302700
3400 Bank of America Plaza
901 Main St Ste 3400
Dallas, TX 75202
Phone: 214-939-2007
FAX: 214-939-2090
don.colleluori@figdav.com
erin.dwyer@figdav.com

ADDITIONAL COUNSEL 11. Herring & Irwin

CHARLES HERRING
cherring@herring-irwin.com

ADDITIONAL COUNSEL 12. Baker Botts LLP

George Lamb
Calvin Roderick Phelan
2001 Ross Ave. Ste.
Dallas, TX 75201
Fax (214) 661-4659
george.lamb@bakerbotts.com
rod.phelan@bakerbotts.com

ADDITIONAL COUNSEL 13. Trevor R. Jefferies

Arnold & Porter LLP
700 Louisiana Street, Suite 1600
Houston, Texas 77002
Telephone: +1 713-576-2403
Cell Phone: +1 713-530-8243
trevor.jefferies@aporter.com

ATTORNEY FOR JAMES CHANOS

ADDITIONAL COUNSEL 14. Vanessa Griffith

Vinson & Elkins LLP
2001 Ross Avenue, Suite 3700
Dallas, TX 75201-2975
Tel +1.214.220.7713
Fax +1.214.999.7713
E-mail vgriffith@velaw.com

ATTORNEY FOR CLINT CARLSON

ADDITIONAL COUNSEL 15. Jamie McKey
Kendall Law Group
jmckey@kendalllawgroup.com

ATTORNEY FOR LEON COOPERMAN

ADDITIONAL COUNSEL 16. Levi G. McCathern, II
McCathern, PLLC
3710 Rawlins St., Suite 1600
Dallas, Texas 75219
214.741.2662 Office
214.741.4717 Fax
lmccathern@mccathernlaw.com

ATTORNEY FOR STEPHEN JONES

ADDITIONAL COUNSEL 17. Lewis T. Stevens
TX24031366
131 East Exchange Ave., No. 204
Fort Worth, TX 76164
T-817-332-4466
F-817-332-4476
lstevens@lstevenslaw.com

ATTORNEY FOR CHAD BUSHAW